

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**FIRST APPEAL No. 716 of 1983****HONOURABLE MR.JUSTICE KS JHAVERI**

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RAJUBEN & 6 - Appellant(s)
Versus
DAHYABHAI C PATEL & 1 - Defendant(s)

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Appearance :

MR BD DESAI for Appellant(s) : 1 - 7.
MR MD PANDYA for Defendant(s) : 1 - 2.

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CORAM : HONOURABLE MR.JUSTICE KS JHAVERI**Date : 26/07/2006****ORAL JUDGMENT**

1. This appeal was on board on 1st July 2006 and the same was adjourned to today. Mr. Desai is not present today. Since the matter is very old the same is taken up for hearing today.

2. This appeal is at the instance of the original claimants claiming enhancement of compensation against the award dated 15th September 1981 passed by the Motor Accident Claims Tribunal, Nadiad in MAC Petition No.533 of 1980 whereby the Tribunal has awarded a sum of Rs.37000/-.

3. The aforesaid claim arose out of vehicular accident which occurred on 4.4.1980 on Nadiad-Petlad Road near village Valetava, claiming life of

Ramanbhai Harmanbhai Solanki and causing personal injuries to Ratambhai Bhulabhai Solanki. The legal heirs of the deceased had filed the aforesaid claim petition claiming compensation in the sum of Rs.1 lac whereas the Tribunal has awarded only Rs.37000/-.

4. The Tribunal has considered all the aspects of the matter and has taken the income of the deceased Rs.200/-. The multiplier taken is 15 and a sum of Rs.5000/- is awarded on account of conventional amount. There is nothing on record to point out that the income of the deceased was higher than the one taken by the Tribunal. I also find that the Tribunal has correctly appreciated the facts of the case.

5. I am in complete agreement with the reasonings adopted and findings arrived at by the Tribunal. No case is made out for enhancement of compensation. Hence the appeal is dismissed. No order as to costs.

[K.S. JHAVERI, J .]

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